REMARKS

The foregoing Amendment and the following Remarks are submitted in response to the Final Office Action issued on December 23, 2004 in connection with the above-identified patent application, and are being filed within the three-month shortened statutory period set for a response by the Final Office Action, and as part of a Request for Continued Examination.

Claims 7, 8, 20, 21, 31, 32, 40, and 46 are pending in the present application. Claims 5, 6, 9-19, 22-30, 33-39, 41-45, and 47-51 have been canceled. Claims 7, 20, and 31 have been amended to include the subject matter of now-canceled claims 9 and 11, 22 and 24, and 33 and 35, respectively, and claims 40 and 46 have been amended to include the subject matter of now-canceled claims 41 and 42 and 47 and 48, respectively. Applicants respectfully submit that no new matter has been added to the application by the Amendment.

Applicants respectfully request reconsideration and withdrawal of the rejection of the claims, consistent with the following remarks. Applicants also note that inasmuch as independent claims 7, 20, and 31 have been amended to include the subject matter of now-canceled claims 9 and 11, 22 and 24, and 33 and 35, respectively, the rejection of such independent claims 7, 20, and 31 will be dealt with in terms of the rejection of now-canceled claims 11, 24, and 35, respectively. Likewise, inasmuch as independent claims 40 and 46 have been amended to include the subject matter of now-canceled claims 41 and 42 and 47 and 48, respectively, the rejection of such independent claims 40 and 46 will be dealt with in terms of the rejection of now-canceled claims 42 and 48.

That said, the Examiner has rejected claims 40 (42) and 46 (48) under 35 USC § 102(b) as being anticipated by Dedrick (U.S. Patent No. 5,710,884). Applicants respectfully traverse the § 102(b) rejection of such claims.

Independent claim 40 of the present application as amended recites a method in combination with a network for implementing a network-based computing environment, where the network has a CDC and a plurality of RDCs. Here, the method is for an application to implement an action at a first network location, where the application is at a second network location and coupled to an RDC thereat. In the method, the application determines over the network what clients are available at the first location and coupled to an RDC thereat, where each available client has capabilities, and determines over the network what capabilities each available client at the first location has. The application then selects an available client at the first location having a capability required for the action to be implemented at the first location, and issues a command over the network to the selected client to perform at least a portion of the action. The issued command is received over the network from the application by the selected client and the selected client performs at least a portion of the action in accordance with the received command.

As amended, claim 40 also recites that each client at the first location is coupled to the RDC thereat by way of a gateway having information on each client at the first location, and determining what clients are available at the first location comprises obtaining the information on each client at the first location from the gateway. Claim 40 further recites that the gateway has information on what capabilities each available client at the first location has, and determining what capabilities each available client at the first location has comprises

allowing the application to obtain the information on the capabilities of each client at the first location from the gateway.

Independent claim 46 as amended recite substantially the same subject matter as claim 40, albeit somewhat more broadly.

As was previously pointed out, and as set forth in the Background section of the present application, the present invention is directed toward the problem that although a typical personal computer (PC) now can interact with a typical user in a relatively simple manner as perceived by the user, such interaction has been achieved by making the PC vastly more complex. More particularly, as a result of such complexity, it is now much harder for the typical user to grasp and correct malfunctions and mis-functions that arise during operation of such PC.

In an effort to alleviate such problem and to otherwise provide a more satisfactory user experience, the present invention integrates the PC into a network such that the network acts as a platform for delivering applications to the PC, for maintaining the applications on the PC, for backing up user data from the PC, for diagnosing PC issues, for directing the user to particular services, and the like. Thus, the network may be employed to provide the user and the PC with direct access to software vendors for trials / upgrades / purchases, product support, information services, and device management; to provide network services that offer protection from complexity, loss of information, viruses, accidents, and obsolescence; to provide network functionality that reduces PC design and support costs; and to provide connectivity for PCs and even for other non-PC electronic devices.

As set forth in the present application, the network may have an architecture comprising a centralized data center (CDC), a plurality of regional data centers (RDCs) operatively coupled to the CDC, and perhaps a plurality of local data centers (LDCs) operatively coupled to each RDC. A user newly couples to the network by receiving a network address of the CDC, contacting the CDC at the network address thereof, requesting from the CDC a network address of an RDC based at least in part on the location of the user; and receiving a network address of an RDC from the CDC. Such process may be repeated with regard to the RDC if necessary to locate an LDC of the RDC. The RDC or LDC maintains the user profile for the user, and the location of such RDC or LDC is expected to be relatively close to the location of the user as compared with the location of all other RDCs / LDCs. Once coupled to the network, the user contacts the RDC or LDC, requests from same a list of servers to use for services provided by the network for the user, and receives the list of servers. The list of servers is obtained from the user profile for the user and comprises a list of corresponding network addresses that are expected to be of use to the user.

The Dedrick reference discloses a system for storing and updating electronic information in a personal profile server for an individual user, and dynamically changing the residence of the electronic information. Most relevant to the present application, the Dedrick system includes a plurality of servers 20, 21, 22 at a centralized level that the Examiner contends are the equivalent of the recited CDC, and a plurality of metering servers 14 at a regional level that the Examiner contends are the equivalent of the recited RDCs. The Dedrick reference discloses scenarios where information is accessed by one device from another.

However, the Dedrick system is not disclosed as allowing an application at one location to access and command a client at another location by determining clients and capabilities over the system, selecting an available client having a capability required for the action to be implemented at the first location, and issuing a command over the network to the selected client to perform at least a portion of an action, as is required by claims 40 and 46. Further, the Dedrick system does not disclose that each client at a first location is coupled to the RDC thereat by way of a gateway having information on each client at the first location, and that determining what clients are available at the first location comprises obtaining the information on each client at the first location from the gateway, as is required by claims 40 and 46. Likewise, the Dedrick reference does not disclose that the gateway has information on what capabilities each available client at the first location has, and that determining what capabilities each available client at the first location has comprises allowing the application to obtain the information on the capabilities of each client at the first location from the gateway, as is required by claims 40 and 46.

Thus, Applicants respectfully submit that the Dedrick reference does not disclose the subject matter recited in independent claims 40 or 46. Accordingly, and for all the aforementioned reasons, Applicants respectfully submit that the Dedrick reference cannot be applied to anticipate such claims. Thus, Applicants respectfully request reconsideration and withdrawal of the § 102(b) rejection.

The Examiner has rejected claims 7 (11), 20 (24), and 31 (35) under 35 USC § 103(a) as being obvious over the Dedrick reference in view of Cheng et al. (U.S. Patent No. 6,151,643). Applicants respectfully traverse the § 103(a) rejection of such claims.

Independent claim 7 of the present application as amended recites a method for a user coupled to a network that provides network services to users, where the network comprises a centralized data center (CDC) and a plurality of regional data centers (RDCs) operatively coupled to the CDC. Each RDC is operatively coupled to a plurality of users by way of a communications network, and maintains for each associated user a user profile corresponding to the user. In addition, a plurality of local data centers (LDCs) are provided, where each LDC is associated with a particular RDC and is operatively coupled to such particular RDC. Each LDC is operatively coupled to a plurality of users by way of a broad-band communications network such that each user is associated with the particular RDC of the LDC and such that the particular RDC maintains for each associated user a user profile corresponding to the user.

In the method, the user contacts the RDC and requests therefrom a list of servers to use for services provided by the network for the user. The user receives the list of servers, where such list of servers is obtained from the user profile for the user and comprises a list of corresponding network addresses.

In addition, corresponding service icons are displayed on an associated user display, and upon the user selecting a displayed icon, the RDC is contacted to determine whether a corresponding service as installed on an associated user machine needs to be updated. If so, an update for the service is downloaded from the associated LDC and installed on the machine.

Independent claims 20 and 31 recite substantially the same subject matter as claim 7, albeit as a computer-executable medium and a computer, respectively.

As was previously pointed out, the Dedrick system does not disclose that a user contacts a metering server 14 (i.e., the RDC according to the Examiner) and request therefrom a list of servers to use for services provided by the network for the user, as is required by claims 7, 21, and 30. As the Examiner notes, the Dedrick system does include a personal profile database 27 with information relating to each user. However, such information is only disclosed as relating to advertising, and not to a list of servers to use for services provided by the network.

The Examiner does concede that the Dedrick reference does not disclose contacting an RDC to determine whether a corresponding service as installed on an associated user machine needs to be updated, and if so, downloading an update for the service from an associated LDC and installing same on the machine. Nevertheless, the Examiner continues by arguing that the Cheng reference discloses such an arrangement.

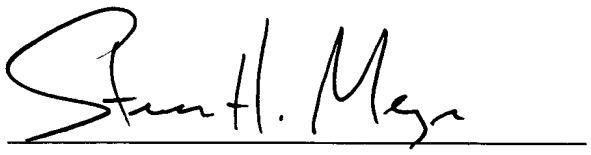
However, Applicants respectfully point out that the Cheng reference while teaching updating a client computer with software updates for software products installed thereon does so by way of the client computer determining the software products stored thereon, and using this information, determining from a remote database, which products have updates available, based on product name and release information for the installed products. Thereafter, a user selects updates for installation and the selected updates are downloaded from software vendor computer systems and installed on the client computer. Thus, and importantly, the Cheng reference does not disclose or suggest that a user receive a list of servers, where such list of servers is obtained from a user profile for the user and comprises a list of corresponding network addresses. In particular, the Cheng reference does not disclose or suggest that the remote database maintains a user profile for the user, as is

required by claims 7, 20, and 31. Instead, the Cheng database only lists products and their update status.

Accordingly, Applicants respectfully submit that claims 7, 20, and 31 and all claims depending therefrom are not obvious in view of the combination of the Dedrick and Cheng references. As a result, Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection.

In view of the foregoing discussion, Applicants respectfully submit that the present application, including claims 7, 8, 20, 21, 31, 32, 40, and 46, is in condition for allowance, and such action is respectfully requested.

Respectfully submitted,



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